

2
No. 87-746

Supreme Court, U.S.
FILED

NOV 27 1987

JOSEPH F. SPANIOLO, JR.
CLERK

**IN THE
SUPREME COURT
OF THE UNITED STATES**

October Term, 1987

MICHAEL H.,

Plaintiff, Cross-Defendant
and Appellant,

and

VICTORIA D., a minor by and through
her Guardian Ad Litem, **LESLIE SHEAR,**

Defendant, Cross-Complainant
and Appellant,

vs.

GERALD D.,

Defendant, Cross-Defendant
and Appellee.

**JURISDICTIONAL STATEMENT
SUPPLEMENTAL APPENDIX**

**NEWMAN, AARONSON, KREKORIAN
& VANAMAN
VALERIE VANAMAN**

14001 Ventura Boulevard
Sherman Oaks, California 91423
(818) 990-7722

Counsel for Appellants

106000

Document Index

Case Number CF 022753

In RE the matter of

HERSCHENSOHN, MICHAEL Petitioner

and

SINGLETON, CAROL,
etc., et al.

Respondent

	<u>Page</u>
Minutes Entered March 31, 1983	A-1
PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM (AND ORDER) FILED APR 12 1983	A-4
Minutes Entered JUN 02 1983	A-7
Minutes Entered SEP 20 1983	A-9
Stipulation and Order FILED MAY 10 1984	A-11
ORDER TO SHOW CAUSE ORIGINAL FILED MAY 10 1984	A-14
TEMPORARY RESTRAINING ORDERS MAY 10 1984	A-16
STIPULATION FOR APPOINTMENT OF COURT INVESTIGATOR FILED JUN 14 1984	A-19
Minutes Entered 6-14-84	A-21
Minutes Entered 6-19-84	A-24

Minutes Entered 7-23-84	A-26
Minutes Entered 7-23-84	A-27
Minutes Entered 8-7-84	A-29
Minutes Entered 8-8-84	A-33
ORDER AFTER HEARING FILED AUG 9 1984	A-35
OSC HEARING CASE NO. CF 22753	A-41
Minutes Entered 10-24-84	A-47
Minutes Entered NOV 16 1984	A-48
Minutes Entered DEC 10 1984	A-49
Handwritten Document by JOHN H. SANDOZ JUDGE PRO TEM FILED OCT 4 1984	A-50
Minutes Entered JAN 14 1985	A-51
Minutes Entered JAN 28 1985	A-53
Minutes Entered FEB 20 1985	A-55
Minutes Entered MAR 12 1985	A-57
EX PARTE MOTION IN LIEU OF ORDER TO SHOW CAUSE FILED MAY 10 1985	A-59
Minutes Entered May 22 1985	A-61
NOTICE OF MOTION TO QUASH AND DIS- MISS AN ORDER TO SHOW CAUSE FILED DEC 11 1985	A-63

Minutes Entered DEC 30 1985	A-65
Minutes Entered JAN 22 1986	A-67
Minutes Entered JAN 24 1986	A-69
Minutes Entered MAY 6 1986	A-71
EX PARTE APPLICATION ORDER TO SHOW CAUSE FILED JUN 24 1986	A-73
Letter from Stephen M. Lachs, Supervising Judge of Superior Court to Leslie Shear, Guardian ad Litem DATED AUG 1 1986	A-75
Minutes Entered MAR 4 1987	A-77
Minutes Entered MAR 26 1987	A-82
FINDINGS AND ORDERS ON ORDERS TO SHOW CAUSE FILED MAR 30 1987	A-83
Minutes Entered 4-1-87	A-93
Minutes Entered 4-6-87	A-95
Minutes Entered SEP. 1 1987	A-97
SUPREME COURT ORDER DENYING REVIEW FILED JUL 30 1987	A-100

Minutes Entered March 31, 1983/County Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES - DEPT. 8

Date: March 31, 1983 F. COULTER, Dpty.Clk.

HONORABLE ROBERT A SCHNIDER
Judge Pro Tem

RPTR. None

1. S. JOHNSON Deputy Sheriff

D CF 022753

In RE the matter of

HERSCHENSOHN, MICHAEL Petitioner

and

SINGLETON, CAROL, etc, et al, Respondent

LARRY M. HOFFMAN, Counsel for Petitioner (X)

JOEL S. AARONSON Counsel for Respondent (X)
PETER WALZER (X)

NATURE OF PROCEEDINGS, DEFENDANTS' MOTION
FOR AN ORDER TO QUASH, OR ENLARGE TIME
FOR TAKING DEPOSITION OF CAROLE
SINGLETON

The matter is called for hearing.

Counsel stipulate that Robert A. Schnider,

Commissioner, may hear this matter as

Judge Pro Tem.

Court and counsel confer in chambers.

The Court, having read and considered the moving and responding papers, and having heard the argument of counsel now orders as follows:

1. The Motion to quash the Notice of taking deposition per Section 2019(a)(2) of the code of Civil Procedure is denied. The Court finds that the Defendant was a resident of the county of Los Angeles at the time Notice was given.
2. The time for taking said deposition is hereby enlarged, and the deposition is now set for MAY 4, 1983, as otherwise previously Noticed.
3. The Court finds that the minor child VICTORIA DEARING is in need of independent legal representation, and that present counsel for said child has expressed an intent to withdraw. Pursuant to Section 4606 of the Civil Code, the Court hereby appoints Leslie Ellen Shear,

10880 Wilshire Blvd., #1900, Los Angeles,
CA, 90024, phone (213) 470-1745, as co-
counsel for said minor child, and as
sole counsel if the withdrawal of the
child's present counsel is approved.

This Minute Order constitutes Notice of the
foregoing, a copy is sent to all counsel of
record via U.S. Mail.

cc: JOEL AARONSON
LARRY M. HOFFMAN
PETER WALZER
LESLIE ELLEN SHEAR

FILED APR 12 1983, John J. Corcoran,
County Clk.
By: F. Coulter, Deputy

LESLIE ELLEN SHEAR, Attorney at Law
10880 Wilshire Blvd., #1900
Los Angeles, CA. 90024
(213) 470-1745

Attorney for Defendant,
Victoria Carole Dearing

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MICHAEL HIRSCHENSOHN,)	
Plaintiff,	)	CASE NO.
	)	CF 022753
vs.)	
CAROLE SINGLETON, aka	)	PETITION FOR
CAROLE SINGLETON DEARING,	)	APPOINTMENT
and VICTORIA CAROLE DEARING,	)	OF GUARDIAN
A Minor,	)	AD LITEM
Defendants.	)	(AND ORDER)

Petitioner alleges:

1. On March 31, 1983 I was appointed as attorney for Defendant VICTORIA DEARING pursuant to Civil Code §4606.
2. VICTORIA DEARING was born on May 11, 1981 and is 23 months old.

3. Pursuant to Civil Code §7008, and Code of Civil Procedure §372, VICTORIA DEARING must appear in this action through a guardian ad litem. Although a purported answer has been filed in this action on behalf of VICTORIA DEARING by Defendant CAROLE SINGLETON, no guardian ad litem has been appointed, and the answer now on file is a nullity.

4. This Court has determined that VICTORIA DEARING is in need of independent representation. Therefore neither VICTORIA DEARING's mother, nor either of her putative fathers may serve as her guardian ad litem. The scope of Petitioner's present authority under Civil Code §4606 is unclear since that statute does not delineate the scope of such authority and there are no cases setting forth the scope of such authority. Appointment of separate guardian ad litem and counsel would entail unnecessary expense for the parties.

WHEREFORE, Petitioner prays that this Court appoint her as the guardian ad litem of VICTORIA DEARING to appear for her in this proceeding.

Dated: April 11, 1983

/s/
LESLIE ELLEN SHEAR
Attorney for Defendant
VICTORIA DEARING

ORDER APPOINTING GUARDIAN AD LITEM

The petition of LESLIE ELLEN SHEAR for her appointment as guardian ad litem of the minor child, VICTORIA DEARING, born May 11, 1981 was presented to and read by the Court on this date. Petitioner appeared. Good cause appearing therefor, LESLIE ELLEN SHEAR is appointed guardian ad litem for VICTORIA DEARING, a minor, in the above entitled proceeding.

Dated: APR 12 1983

/s/
ROBERT A. SCHNIDER
Judge Pro Tem of the
Superior Court

Minutes Entered JUN 02 1983/County Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES - DEPT. LA 2

Date: JUN 02 1983

HONORABLE RICHARD A LAVINE JUDGE

302 J CARRILLO Deputy Sheriff

J SORENSON DEPUTY CLERK

L DAVIS Reporter

1100AM

CF 22753 in RE the marriage of

HIRSCHENSOH, MICHAEL

Plaintiff

and

SINGLETON, CAROLE-ETC-ET AL

Defendant

Counsel for Petitioner JOEL S. AARONSON, ESQ.

Counsel for Respondent MACKEY-MANSFIELD

NATURE OF PROCEEDINGS

(1) MOTION OF DEFENDANT FILED MAY 5, 1983

FOR ORDER SEVERING TRIAL OF AFFIRMA-
TIVE DEFENSE FROM TRIAL OF ALL OTHER
ISSUES AND LIMITING DISCOVERY PENDING

Confidential

DETERMINATION OF TRIAL OF AFFIRMA-
TIVE DEFENSE

- (2) MOTION OF DEFENDANT FILED APR 6,
1083 FOR SUMMARY JUDGMENT AND FOR
PROTECTIVE ORDERS RELATING TO DEPOSI-
TION OF CAROLE DEARING. CONTINUED
FROM APR 26, 1983 (1st CONT.)
- (3) MOTION OF DEFENDANT FILED MAY 13,
1983 FOR ATTORNEY FEES AND COSTS
PER CC #7011 & 4606

Confidential

Pursuant to written stipulation, the
motions are continued to September 20,
1983 at 11:00 a.m. in Department 2.

Minutes Entered SEP 20 1983/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. LA 2

Date: SEP 20 1983

HONORABLE RICHARD A LAVINE JUDGE

301 J CARRILLO Deputy Sheriff

J. SORENSON DEPUTY CLERK

D. LEWIS Reporter

1100 AM

CF 22753 in RE the marriage of

HIRSCHENSON, MICHAEL

Plaintiff

and

SINGLETON, CAROLE-ETC-ET AL

Defendant

Counsel for Petitioner J S AARONSON

Counsel for Respondent MACKEY-MANSFIELD

NATURE OF PROCEEDINGS.

(1) MOTION OF DEFENDANT FILED MAYY 5,
1983 FOR ORDER SEVERING TRIAL OF AF-
FIRMATIVE DEFENSE FROM TRIAL OF ALL
OTHER ISSUES AND LIMITING DISCOVERY
PENDING DETERMINATION OF TRIAL OF

Confidential

Confidential

AFFIRMATIVE DEFENSE. CONTINUED FROM
6/2/83. (1st CONT.)

- (2) MOTION OF DEFENDANT FILED APR 6,
1983 FOR SUMMARY JUDGMENT AND FOR
PROTECTIVE ORDERS RELATING TO DEPOSI-
TION OF CAROLE DEARING. CONTINUED
FROM JUN 2, 1983. (2nd CONT.)
- (3) MOTION OF DEFENDANT FILED MAY 13,
1983 FOR ATTORNEY FEES AND COSTS PER
CC #7011 & 4606 CONTINUED FROM
JUN 2, 1983. (1st CONT.)

Defendant's motions are placed off
calendar, at the request of the moving
party.

FILED MAY 10 1984, John J. Corcoran,
County Clk.
By: F. Coulter, Deputy

(Handwritten)

Plaintiff:

MICHAEL HIRCHENSOHN

v.

Defendant:

CAROLE SINGLETON, et al

CF 022753

Stipulation and
Order

Re: Appointment of
Expert, Expert's
Fees, Attorney's
Fees

It is hereby stipulated by and between
the parties through their attorneys of
record that:

1. One of the following mental health
professionals (Dr. Robin Drapkin, Dr. Norman
Stone, Dr. Frank Williams, Dr. Jane Bryson,
Dr. Jack Share) to be designated by the
minor child's guardian ad litem, Leslie Ellen
Shear, is appointed as the Court's expert
under Evidence Code §730 to serve the dual
functions of assisting the guardian ad litem
in determining the child's best interests,

and providing evidence in this matter.

2. The parties are ordered to cooperate with the guardian ad litem and expert witness in making themselves and the minor child available, and in the evaluation process.

3. The written reports of the expert to the Court shall be admitted into evidence at any hearing in this matter, subject to the right of the parties to call the expert for cross-examination.

4. Gerald Dearing shall be invited to participate in the evaluation process.

5. The court shall have continuing jurisdiction to award fees to the expert witness and to the guardian ad litem/attorney for the child, and shall make a preliminary fee award at the June 12, 1984 hearing of this matter.

6. The issue of whether the parties must cooperate with the expert witness to

temporarily modify the custody-visitation
order in connection with the evaluation
shall be before the Court of the hearing of
this OSC

NEWMAN, AARONSON,
VANAMAN, KREKORIAN

By: /s/
Attorney for Plaintiff
Michael Hirschensohn

MACKEY and MANSFIELD

By: /s/
LARRY M. HOFFMAN
Attorney for CAROLE
SINGLETON DEARING

Leslie Ellen Shear
Attorney and guardian
as litem for VICTORIA
CAROLE DEARING

IT IS SO ORDERED: That these orders and
temporary Orders made this date by the Court
shall remain in full force & effect until
the date of June 12, 1984, stipulated by all
counsel as the hearing date of the OSC's
before the Court.

5/10/84

/s/
Judge Pro Tem.
JOHN H. SANDOZ

A-13

ORDER TO SHOW CAUSE
ORIGINAL FILED MAY 10 1984/County Clerk

Attorney
JOEL AARONSON
NEWMAN, AARONSON, VANAMAN, KREKORIAN
14001 Ventura Blvd., Sherman Oaks, CA
2139907722

Plaintiff

SUPERIOR COURT OF CALIFORNIA,
County of Los Angeles
111 N. Hill St.
L.A. CA 90012

CENTRAL

MARRIAGE OF

Plaintiff: Michael Hirschenson

Defendant: Carole Singleton

ORDER TO SHOW CAUSE

Visitation

Other(Specify): Pendente Lite
Order re Visitation

Case Number CF 022753

- 1 To CAROLE SINGLETON, aka CAROLE SINGLETON DEARING
- 2 YOU ARE ORDER TO APPEAR IN THIS COURT AS FOLLOWS TO GIVE ANY LEGAL REASON WHY THE RELIEF SOUGHT IN THE ATTACHED APPLICATION SHOULD NOT BE GRANTED
 - a June 12, 1984 8:30 A.M. Dept 2 Rm. 215
 - b Address of court
111 N. Hill St., L.A., CA 90012

A-14

. . .

. . .
c [x]Other(specify)

DEFENDANT SHALL
PERMIT PLAINTIFF TO VISIT WITH
VICTORIA DEARING ON FRIDAY, MAY 11,
1984 FROM 3:00-5:00 P.M. AT THE
WESTREY SCHOOL, PLAYA DEL REY.

...

JOHN H. SANDOZ
JUDGE PRO TEM

Judge of the Superior
Court

Dated: MAY 10 1984

TEMPORARY RESTRAINING ORDERS MAY 10 1984

MARRIAGE OF

HIRCHENSOHN vs. SINGLETON, etc. et al.,

Case Number CF 022753

TEMPORARY RESTRAINING ORDERS
(FAMILY LAW ATTACHMENT)

1. [xx] RESTRAINT PERSONAL CONDUCT

(init.)

a. [xx] Plaintiff shall not ~~harass~~,

molest, attack, strike, threaten,

sexually assault, batter,

(init.)

~~telephone~~ or otherwise disturb

the peace of CAROLE SINGLETON,

[x] and the following family or

household members: VICTORIA

DEARING

. . .

3. [xx] STAY AWAY ORDERS

Plaintiff

[xx]Petitioner must stay at least

(init.)

~~100~~ 50 yards away from the

following places:

a. [xx] Residence of CAROLE SINGLETON

6407 Ocean Front Walk,

Playa Del Rey, CA

. . .

c. [xx] The children's school: Westrey
311 Culver Boulevard,
Playa Del Rey
(init.) (Except on May 11, 1984
from 2:30 P.M. to 5:00 P.M.)

. . .

. . .

. . .

7.[x] By the close of business on the date
of this order a copy of this order
and any Proof of Service shall be
delivered to the law enforcement
agencies listed below as follows:

[xx] the Clerk of the Court shall mail.

Los Angeles Police Department

Mail Unit-Room 15
150 North Los Angeles Street
Los Angeles, CA 90012

8. [xx] OTHER ORDERS

PENDING A HEARING. DEFENDANT, CAROLE
SINGLETON, is awarded sole physical and
legal custody of the minor child, VICTORIA
CAROLE DEARING, born May 11, 1981.

9. This order is effective when made. Law enforcement agencies shall enforce it immediately upon receipt. If proof of service on the restrained person has not been received by the law enforcement agency, the law enforcement agency shall advise the restrained person of the terms of this order.

Dated: May 10 1984 /s/

(Judge of the Superior Court)
JOHN H. SANDOZ
JUDGE PRO TEM

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a copy of the foregoing was mailed first class, postage prepaid in a sealed envelope addressed as shown in item 7, and that the mailing of the foregoing and execution of this certificate occurred at LOS ANGELES, California, on May 10 1984

Clerk, by/s/ _____ Deputy
F. COULTER

STIPULATION FOR APPOINTMENT OF COURT
INVESTIGATOR
FILED JUN 14 1984/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES

MICHAEL HIRSCHENSOHN

Case Number

CF 022753

v.

CAROLE SINGLETON, et al.

STIPULATION FOR
APPOINTMENT OF
COURT INVESTIGATOR

Pursuant to the provisions of Civil Code Section 4602, the parties, though their respective counsel, hereby stipulate to the appointment of the Court Investigator to make a limited investigation and report to the Court in this matter in reference to the custody or visitation of the minor child/children of the parties. Report shall be limited to a CII report from California, Florida, Virgin Islands concerning Plaintiff.

It is further stipulated that said report, including all attached documentation, be received in evidence without foundation, and without objection to hearsay or any

other objection, and the investigator will not be called to testify and need not be present at any hearing.

The minor(s) is/are: VICTORIA CAROLE
DEARING

The information requested by the child custody information form will be supplied forthwith.

It is further stipulated that the report may be sealed and shall not be inspected by anyone other than counsel of record and NO ADDITIONAL COPIES SHALL BE MADE AND/OR DISTRIBUTED BY COUNSEL WITHOUT PRIOR ORDER OF COURT.

The Court now has authority to order reimbursement for the expense of the investigation and report. (4602 C.C.)

Dated June 14, 1984 /s/ _____
Counsel for Minor Child
Guardian ad litem
/s/ _____
Counsel for Plaintiff /s/ _____
Counsel for Defendant
/s/ _____
Plaintiff /s/ _____
Defendant

Minutes Entered 6-14-84/County Clerk

Date 6-14-84

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. 2

HONORABLE D. E. SCHEMPP JUDGE

S. Branche Deputy Sheriff

M. Hiles D.65 Deputy Clerk

L. Holton Reporter

C 022 753

HERISCHENSOHN, MICHAEL, Plaintiff [x]

and

SINGLETON, CAROLE, Defendant [x]

Counsel for Plaintiff Joel Aaronson [x]

Counsel for Defendant L. Hoffman [x]
Leslie E. Shear [x]
(for the child)

NATURE OF PROCEEDINGS: Plaintiff's Order to
Show Cause re
Visitation Pendente
Lite

Defendant's Order to
Show Cause re Tem-
porary Restraining
Orders

Motion of defendant's attorney to renew his
motion to continue is heard and denied.

Motion of the defendant's attorney to dismiss on the ground that this Court lacks jurisdiction to order visitation pendente lite, is heard and denied.

Motion of the defendant's attorney to have Mr. Dearning present to testify is heard and denied. The court will adopt the recommendations of Dr. Stone.

Parties are sworn and testify. Witness Dr. Norman M. Stone is sworn and testifies.

Child's Exhibit #1 (Resume - Norman M. Stone, Ph.D.); and #2 (Expenses rendered by Norman M. Stone and Susan F. Stone); are received in evidence.

Plaintiff's Exhibit #1 (Stipulation for Judgment) is received in evidence and withdrawn.

The Court directs the Office of the Court Investigator to conduct an investigation which is to be limited to running a CII - Criminal Record check on the plaintiff in re the States of California, Florida, and the Virgin Islands. Upon receipt of the Los Angeles report, the Court requests that it be sent to Department 65 forthwith.

Counsel for the plaintiff is directed to prepare an attorney order based upon the order of the Court as contained in the notes of the Official Court Reporter, and forward same to opposing counsel for approval as to form and content.

The issues of attorney's fees and court costs, the cost of the report of the Court Investigator, and the costs of Dr. Stone are taken under submission.

(No File)
Minutes Entered 6-19-84/County Clerk

Date 6-19-84

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES - DEPT. 2

HONORABLE D. E. SCHEMPP JUDGE

S. Branche Deputy Sheriff

M. Hiles D. 65 Deputy Clerk

None Reporter

C 022 753

HIRSCHENSON, MICHAEL, Plaintiff

and

SINGLETON, CAROLE, Defendant

Counsel for Plaintiff Joel Aaronson

Counsel for Defendant L. Hoffman

Leslie E. Shear

(for the child)

NATURE OF PROCEEDINGS. ORDER RE MATTERS
SUBMITTED ON
JUNE 14, 1984

The Court having taken this matter under sub-
mission on June 14, 1984, said Court now
renders the following orders:

The plaintiff and the defendant shall each
pay one-half of the fees of Dr. Stone, the
report of the Court Investigator when

obtained, and counsel for the minor child,
Leslie E. Shear.

Any order re attorney's fees and court costs
not covered in the above paragraph shall be
reserved until further order of the Court,
or the time of trial.

Counsel of record notified by
U.S. Mail.

Minutes Entered 7-23-84/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - Dept. 2

Date: July 23, 1984

HONORABLE D. E. SCHEMPP JUDGE

S. Branche Deputy Sheriff

E. Wchwartz Deputy Clerk

M. Hiles D. 65

None Reporter

CF 022 753 In RE the marriage of

HIRSCHENSOHN, MICHAEL JOEL Petitioner

and

SINGLETON, CAROLE

Respondent

Counsel for Petitioner Joel Aaronson

Counsel for Respondent L. Hoffman

Leslie E. Shear
(for the child)

NATURE OF PROCEEDINGS.

EX PARTE ORDER SEALING EXHIBIT

Court's Exhibit 1 (sealed envelope containing
(Child Custody Report) is received in
evidence and ordered sealed, to be opened
by no one except counsel of record, or upon
Court order.

Minutes Entered 7-23-84/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - Dept. 2

Date 7-23-84

HONORABLE D. E. SCHEMPP JUDGE

S. Branche Deputy Sheriff

M. Hiles D. 65 Deputy Clerk

None Reporter

CF 022 753 In re the Marriage of

HIRSCHENSOHN, MICHAEL JOEL, Petitioner

and

SINGLETON, CAROLE, Respondent

Counsel for Plaintiff Joel Aaronson

Counsel for Defendant L. Hoffman

Leslie E. Shear

(for the child)

NATURE OF PROCEEDINGS:

ORDER RE PAYMENT OF CHILD CUSTODY INVESTIGATION REPORT

The Court finds that the cost for the preparation of the Child Custody Investigation Report is \$27.97.

Court's Exhibit #1 (Child Custody Evaluation) is received in evidence and is ordered sealed, to be opened by no one except counsel of record, or upon court order.

Minutes Entered 8-7-84/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - Dept. 2

Date: Aug. 7, 1984

HONORABLE D. E. SCHEMPP JUDGE

S. Branche Sheriff

M. Hiles D. 65 Deputy Clerk

L. Holton Reporter

CF 022 753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Plaintiff [x]

and

SINGLETON, CAROLE

aka CAROLE DEARING Defendant [x]

Counsel for Petitioner J. S. Aaronson [x]

Counsel for Respondent L. Hoffman [x]

NATURE OF PROCEEDINGS

[x] PETR ORDER TO SHOW CAUSE IN RE:

Contempt of order of 6-13-84

(cont't from 8-6-84)

. . .

[x] Citee is advised of the nature of the proceedings, burden of proof, the right to counsel, the right against self incrimination and the right to a full hearing.

[x] Citee knowingly and intelligently waives his right and the matter proceeds to hearing.

. . .

[x] Petitioner is sworn and testifies.

[x] Respondent is sworn and testifies.

. . .

[x] The court finds that a lawful order was made on 6-13-84, that the citee had knowledge of the order, that the citee had the ability to comply with the order, that he failed to comply therewith, and that his failure was willful. The citee is adjudged to be in contempt of court on 6 counts, on Count 1 - removing the minor child in excess of two weeks from the County of Los Angeles; Count 2 - denying telephone access to the plaintiff; ****

Citee is sentenced to serve 5 days in the county jail on each count, to run

consecutively, Citee is remanded to the custody of the Sheriff.

. . .

[x] OTHER Motion of defendant's attorney to dismiss Count 2 of the contempt citation is heard, and denied.

Count 3 - June 25; Count 4 - July 2; Count 5 - July 19; and Count 6 - July 16, 1984.

At such time as the child Victoria is returned to this jurisdiction and if it is brought to the Court's attention, the matter will be placed back on calendar. Further, the court will consider suspending the balance of the time to be served, and place the defendant on probation.

Each party shall bear one-half of the costs of Dr. Stone's continuing billing for rees.

In order to receive the report of Dr. Stone and to have a hearing thereon, this matter is set in Dept. 2 at 8:30 a.m. on October 1, 1984.

Defendant's Exhibit A (2 - TWA Passenger Tickets for Victoria Dearing and Carole Dearing) is received in evidence and withdrawn by defendant's attorney.

Minutes Entered 8-8-84/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - Dept. 2

Date; Aug. 8, 1984

HONORABLE D. E. SCHEMPP JUDGE

S. Branche Sheriff

M. Hiles D. 65 Deputy Clerk

L. Holton Reporter

CF 022 753 In RE the marriage of

HIRSCHENSOHN, MICHAEL, Plaintiff [x]

and

SINGLETON, CAROLE

aka Carole Dearing, Defendant

Counsel for Petitioner J. S. Aaronson [x]

Counsel for Respondent L. Hoffman [x]

L. Shear [x]

NATURE OF PROCEEDINGS: [x] PETR ORDER TO
SHOW CAUSE IN RE:

Contempt of order of

(con'd from 8-7-84)

. . .

[x] OTHER Plaintiff, and his attorney,
counsel for the defendant, and counsel for
the child are all present in Court.

It is stated for the record and repre-
sented to the Court, that the defendant has
cooperated and has had the minor child
Victoria returned to the jurisdiction of

this Court. The Court orders the defendant to be released forthwith from County Jail. Further, said defendant is ordered to appear on August 9, 1984 at 9:00 a.m. in Department 65.

The Court issues an Attachment of Defaulter to be issued and held for the defendant Carole Singleton aka Dearing until August 9, 1984 at 9:00 a.m. in Department 65.

Superior Court Release #199060.

ORDER AFTER HEARING

FILED AUG 9 1984 John J. Corcoran,
County Clk.

By M.S. HILES, Deputy

MACKEY AND MANSFIELD
717 W. Temple St., Suite 300
Los Angeles, CA 90012
485-0500

Attorneys for Defendant
CAROLE SINGLETON DEARING

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MICHAEL HIRSCHENSOHN,)	
Plaintiff,	)	CONFIDENTIAL
vs.)	
CAROLE SINGLETON DEARING,	)	No. CF 022753
et al.,)	
Defendant.	)	ORDER AFTER
	)	HEARING
VICTORIA CAROLE DEARING,)	
a minor,)	
Cross-complainant,)	
vs.)	
GERALD DEARING, et al.,)	
Cross-defendants.)	

The Order to Show Cause Re Visitation
filed by Plaintiff May 10, 1984, and the
order to Show Cause Re Custody and Injunctive
Relief filed by Defendant, CAROLE SINGLETON

DEARING, on May 10, 1984, came on regularly for hearing on June 14, 1984, in Department 65 of the above-entitled court, Commissioner DARLENE SCHEMP, Judge Pro Tempore, presiding.

The court denied the motions of Defendant, CAROLE SINGLETON DEARING to continue the hearing and to dismiss Plaintiff's Order to Show Cause Re Visitation.

After full evidentiary hearing, the Court made the following orders:

1. The Court makes no finding with respect to the issue of paternity or order with respect to the applicability or effect of Evidence code Section 621. Over the objection of Defendant, CAROLE SINGLETON DEARING, the court adjudges that it has authority, pursuant to the second sentence of Civil Code Section 4601, to award Plaintiff pendente lite visitation with the minor child, VICTORIA CAROLE DEARING, born May 11, 1981.

2. Defendant, CAROLE SINGLETON DEARING, is awarded custody of said minor child. Plaintiff shall have visitation with said minor child once per week, for a period not to exceed 3 hours, commencing Friday, June 15, 1984, and continuing until further Order of the Court. Said visitation shall be arranged so that the minor is picked up and returned to the Nursery School she attends. In the event Defendant changes the Nursery School, or Defendant does not send the minor to Nursery School, Plaintiff and Defendant through respective counsel shall arrange an appropriate pick-up and return site which, when practicable, shall be out of the presence of the Defendant. In the event the minor is ill on a day which has been designated Plaintiff's visitation day, Defendant shall make arrangements through her counsel and counsel for Plaintiff for an alternate day.

3. Defendar. shall be permitted to remove the child from the County of Los Angeles and thereby deprive Plaintiff of his visitation with the child. Said period of removal shall not deprive the Plaintiff of more than one visit with the child.

4. Plaintiff shall be allowed to call the minor once per week at a time previously set, either through the cooperation of the minor's Nursery School, or by mutual arrangement between Plaintiff and Defendant through their respective counsel.

5. The Plaintiff and Defendant are Ordered to cooperate with DR. NORMAN STONE in his preparation for the Court of an in-depth social study concerning custody and visitation patterns at a date set by the parties but in no event less than 90 days from the date of this hearing.

6. Plaintiff and Defendant are Ordered restrained from annoying, harrassing,

molesting, or touching each other in any manner whatsoever. Plaintiff is ordered to stay 100 feet away from the physical presence of the Defendant.

7. Plaintiff and Defendant are restrained from making any derogatory remarks about the other in the presence of the minor child.

8. Plaintiff is Ordered to cooperate with DR. STONE in obtaining appropriate therapy to deal with his relationship with the minor child and Defendant.

9. The Court retains jurisdiction to determine the extent and contributive share of the parties concerning attorney's fee for minor's counsel, LESLIE SHEAR, expert fees payable to DR. STONE and costs to be awarded to minor's counsel, LESLIE SHEAR.

DATE: Aug 1984

JUDGE OF THE SUPERIOR
COURT
(By: RICHARD A. LAVINE)

APPROVED AS TO FORM AND CONTENT:

DATE: 8/9/84

JOEL AARONSON, Attorney
for Plaintiff, MICHAEL
HERSCHINSON

DATE:

MACKEY AND MANSFIELD

By:

LARRY M. HOFFMAN,
Attorneys for Defen-
dant CAROLE SINGLETON
DEARING

DATE:

LESLIE ELLEN SHEAR,
Attorney for Minor
VICTORIA DEARING

OSC HEARING CASE NO. CF 22753

ADMITTED IN EVIDENCE 10-23-84

John J. Corcoran, County Clk.

By: T. ACUNA, Deputy

(Handwritten)

CF 022753

It is hereby stipulated by and between the parties through their respective attorneys of record, that the prior temporary orders in this matter are modified in the following particulars only.

1) Without reaching the question of the applicability of Evidence Code §621, the Court finds Plaintiff Michael Hirshensohn to be a person interested in the welfare of Victoria Carole Dearing, and exercises its discretion pursuant to the second sentence Civil Code §4601 to grant him the temporary visitation rights set forth below until further order of court.

2) For purposes of this order the 4th weekend of each month refers to the weekend

commencing on the 4th Saturday of the month.

3) Plaintiff shall be entitled to twelve weekend visits with Victoria each year. The weekend visits in November and December of 1984 and January of 1985 shall be from 10 a.m. to 6 p.m. on Sunday. The Court retains jurisdiction to modify the hours of the visits commencing in February, 1985.

4) The visits shall take place according to the following schedule:

(*Evaluation Dates)

	1984	1985	1986	1987
January		2nd	2nd	2nd
February		2nd*	2nd	2nd
March		2nd	2nd	2nd
April		2nd	2nd	2nd
May		2nd	2nd	2nd
June		2nd	2nd	2nd*
July		4-5	4-5	4-5
August		2nd	2nd	2nd
September		2nd	2nd	2nd
October		2nd	2nd	2nd
November	4th weekend	4th	2nd	4th
December	4th weekend	4th	2nd	4th

5. Plaintiff shall be entitled to one, ten-minute telephone call per week with the minor child, to be initiated by CAROLE DEARING at 5 p.m. (California time) each Thursday (7 p.m. New York time when Plaintiff is in the Virgin Islands or New York.)

6. Plaintiff is restrained from contacting the minor child except at the times and places set forth herein, or by stipulation of the parties.

7. The parties are ordered to participate in review evaluations by Dr. Norman Stone in February, 1985 (for the purpose of ascertaining whether the visits should include overnights and what the duration of the visits should be) and in June, 1987 (for recommendations as to what future orders will be in Victoria's best interests).

8. Plaintiff is ordered to advance one-half of the cost of each evaluation and Defendants Carole Dearing and Gerald Dearing

are ordered to advance one-half of each evaluation, subject to reimbursement if the Court deems it appropriate.

9. The written reports of Dr. Stone shall be admitted into evidence at any hearing concerning custody or visitation, subject to the right of cross-examination.

10. Plaintiff is ordered to pay forthwith to Leslie Ellen Shear the sum of \$750.00 as and for attorneys fees. Defendants CAROL DEARING and Gerald Dearing are ordered to pay to Leslie Ellen Shear the sum of \$750.00 as and for attorneys fees.

11. The November, 1984 visit shall take place in Los Angeles. Thereafter 9 visits per year shall take place in New York and three visits per year shall take place in Los Angeles. Whenever the November visit occurs on the Saturday immediately following Thanksgiving, that visit shall be one of the three annual Los Angeles visits. Defendant(s)

are ordered to provide Victoria's transportation for the Los Angeles visits. Other than those Los Angeles visits specified above, the months of the Los Angeles visits shall be designated in writing by Carole Dearing on or before March 1, 1985 (for the 1985 visits) and on or before October 1 of the prior year for 1986 and 1987 visits. Absent written agreement of the parties, the visits in November (except as provided above) through April must take place in New York, at the expense of Plaintiff.

12) Each party has authorized his or her respective counsel to enter into this stipulation and waives the right to further notice of this order.

13) This matter is continued to March 6, 1985 in Department 2 at 8:30 a.m.

/s/
Joel Aaronson
Attorney for Plaintiff

/s/
Larry Hoffman Attorney
for Defendant Carole
Dearing

/s/
Glen Schwartz Attorney
for Defendant Gerald
Dearing

/s/
Leslie Ellen Shear,
guardian ad litem and
Attorney for Defendant
Victoria Dearing

It is so ordered.

Minutes Entered 10-24-84/County Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES - Dept. 6

Date: OCTOBER 24, 1984
HONORABLE FRANCES ROTHSCHILD JUDGE
E. RODGERS Deputy Sheriff
T. ACUNA Deputy Clerk
None Reporter

CF 22753 In RE the marriage of
HIRSCHENSOHN, MICHAEL Petitioner
and

SINGLETON, CAROLE
DEARING, VICTORIA, MINOR Respondent

Counsel for Petitioner J.S.AARONSON
G. SCHWARTZ
Counsel for Respondent L. HOFFMAN
L. SHEAR

NATURE OF PROCEEDINGS

ORDER SEALING EXHIBIT

Court's exhibit 1 (Family Evaluation) is
marked for identification and sealed pur-
suant to the order of this court.

Minutes Entered NOV 16 1984/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - Dept. 2

Date: NOV 16 1984

HONORABLE RICHARD A. LAVINE JUDGE

303 J. CARRILLO Deputy Sheriff

V. CRESEP Deputy Clerk

J. COFFLER Reporter

1100 AM

C F 22753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Plaintiff

and

SINGLETON, CAROLE-ET AL Defendant

NATURE OF PROCEEDINGS

MOTION OF DEFENDANT FILED OCT 19, 1984
FOR SUMMARY JUDGMENT

Confidential Pursuant to telephonic request of moving
party, motion is ordered continued to
December 10, 1984 at 11:00 am in
Department 2.

Moving party shall serve notice.

Minutes Entered DEC 10 1984/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - Dept. 2

Date: DEC 10 1984

HONORABLE STEPHEN LACHS JUDGE
302 J. CARRILLO Deputy Sheriff
p. TINNELL Deputy Clerk
S. TAYLOR Reporter

1100AM

CF 22753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Petitioner

and

SINGLETON, CAROLE-ET AL Respondent

NATURE OF PROCEEDINGS

MOTION OF DEFENDANT FILED OCT 19, 1984
FOR SUMMARY JUDGMENT. CONTINUED FROM
NOV 16, 1984. (1st Cont.)

Motion is continued to January 14, 1985,
at 11:00 am in Dept 2.

Counsel for moving party to give notice.

Confidential

FILED OCT 4 1984/JOHN J. CORCORAN, CTY.CLK.
F. COULTER, Deputy

(Handwritten)

The Court finds that the child will benefit from a short delay of the visits scheduled for the weekend of October 5 through October 8, because of the risk that she will become involved in the confrontation and/or conflict between the parties associated with the pending orders to show cause.

THEREFORE, the Court orders that the visits that would ordinarily take place on October 5 and October 8 be postponed only until the weekend of October 12 through October 15, on dates and at times to be agreed upon among the parties, and shall continue at two week intervals thereafter, until further order of Court.

/s/

JOHN H. SANDOZ
JUDGE PRO TEM

OCT 4 1984

A-50

Minutes Entered JAN 14 1985/County Clerk
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES - Dept. LA 2

Date: JAN 14 1985
HONORABLE STEPHEN M. LACHS JUDGE
302 J. CARRILLO Deputy Sheriff
V. SMITH Deputy Clerk
D. SAYLER Reporter

1100AM

CF 22753 In RE the marriage of
HIRSCHENSOHN, MICHAEL Petitioner

and

SINGLETON, CAROLE-ET AL Respondent

Counsel for Petitioner J. AARONSON (X)

L. SHEAR (X)

Counsel for Respondent SCHWARTZ(X)

L. HOFFMAN (X)

NATURE OF PROCEEDINGS

(1) MOTION OF DEFENDANT FILED OCT 19,
1984 FOR SUMMARY JUDGMENT. CON-
TINUED FROM DEC 10, 1984. (2nd
CONT.)

(2) MOTION OF DEFENDANT FILED DEC 28,
1984 FOR ATTORNEY FEES AND COSTS:
CCP 2034(a) and CCP 2019(b)(2)
FOR COMPELLING ANSWERS TO QUESTIONS

Confidential

PROPOUNDED AT DEPOSITION, COMPELLING
DEPOSITION TO TAKE PLACE IN LOS
ANGELES.

Confidential

Motions are continued to January 28,
1985 at 11:00 a.m. in Department 2.

Notice is waived.

Minutes Entered JAN 28 1985/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. LA 2

Date: JAN 28 1985

HONORABLE STEPHEN M. LACHS JUDGE

301 J. CARRILLO Deputy Sheriff

V. SMITH Deputy Clerk

D. SALYER Reporter

1100AM

F 22753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Petitioner

and

SINGLETON, CAROLE-ET AL Respondent

Counsel for Petitioner AARONSON-SHEAR, L.(X)

V. DEHOUNG (X)

Counsel for Respondent G. SCHWARTZ-

HOFFMAN, L. (X)

L. SHEAR: MINOR ATTORNEY (X)

NATURE OF PROCEEDINGS:

(1) MOTION OF DEFENDANT FILED OCT. 19,

1984 FOR SUMMARY JUDGMENT. CONTINUED

FROM JAN 14, 1985 (3RD CONT)

(2) MOTION OF DEFENDANT FILED DEC. 28,

1984 FOR ATTORNEY FEES AND COSTS:

CCP 2034(a) and CCP 2019(b)(2) FOR

COMPELLING ANSWERS TO QUESTIONS PRO-

POUNDED AT DEPOSITION COMPELLING

DEPOSITION TO TAKE PLACE IN LOS ANGELES.

Confidential

CONTINUED FROM JAN. 14, 1985 (1ST CONT)

Defendant's motion for Summary Judgment is granted pursuant to Vincent B. V. Joan, R., and 621. as to complaint and cross-complaint.

Defendant's motion for attorney fees and costs; CCP #2034(a) and CCP #2019(b)(2) for compelling answers to questions propounded at deposition to take place in Los Angeles is denied, as irrelevant after Summary Judgment.

Defendant to serve notice.

Counsel for defendant is directed to prepare the judgment and submit it to opposing counsel for approval as to the form and content.

On February 20, 1985 at 11:00 a.m. in Department 2, a hearing is set for purpose of determining what issues, if any, survive granting of motion for summary judgment.

Minutes Entered FEB 20 1985/County Clerk

NO FILE

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. LA 2

Date: FEB 20 1985

HONORABLE ROBERT A. SCHNIDER JUDGE PRO TEM

302 J. CARRILLO Deputy Sheriff

V. SMITH Deputy Clerk

C. DUARTE Reporter

1100AM

CF 22753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Petitioner

and

SINGLETON, CAROLE-ET AL Respondent

Counsel for Petitioner AARONSON-SHEAR

Counsel for Respondent SCHWARTZ-HOFFMAN

NATURE OF PROCEEDINGS

(1) MOTION OF DEFENDANT FILED OCT 19,
1984 FOR SUMMARY JUDGMENT. CONTINUED
FROM JAN 28, 1985. (4TH CONT)

(2) MOTION OF DEFENDANT FILED DEC. 28,
1984 FOR ATTORNEY FEES AND COSTS:
CCP 2034(a) and CCP 2019(b)(2) FOR
COMPELLING ANSWERS TO QUESTIONS PRO-
POUNDED AT DEPOSITION, COMPELLING
DEPOSITION TO TAKE PLACE IN

Confidential

LOS ANGELES. CONTINUED FROM JAN 28,
1985 (2ND CONT)

Confidential Pursuant to telephonic request of moving
party, Defendant's motion is continued
to March 12, 1985 at 11:00 a.m. in De-
partment 2.

Moving party to serve notice.

Minutes Entered MAR 12 1985/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. LA 2

Date: Mar 12 1985

HONORABLE STEPHEN M. LACHS JUDGE

301 J. CARRILLO Deputy Sheriff

V. SMITH Deputy Clerk

D. SALYER Reporter

1100AM

CF 22753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Petitioner

and

SINGLETON, CAROLE-ET AL

Counsel for Petitioner J. AARONSON-
SHEAR, L. (X)

Counsel for Respondent G. SCHWARTZ-
HOFFMAN, L. (X)

NATURE OF PROCEEDINGS:

(1) MOTION OF DEFENDANT FILED OCT 19,
1984 FOR SUMMARY JUDGMENT. CONTINUED
FROM FEB 20, 1985 (5TH CONT)

Confidential (2) MOTION OF DEFENDANT FILED DEC. 28,
1984 FOR ATTORNEY FEES AND COSTS:
CCP 2034(a) AND CCP 2019(b)92) FOR
COMPELLING ANSWERS TO QUESTIONS PRO-
POUNDED AT DEPOSITION, COMPELLING
DEPOSITION TO TAKE PLACE IN

LOS ANGELES. CONTINUED FROM FEB 20,
1985 (3RD CONT)

Confidential

All pleadings have been submitted.
The court takes this matter under
submission.

EX PARTE MOTION IN LIEU OF ORDER TO SHOW
CAUSE FILED MAY 10 1985 Frank S. Zolin
County Clerk
By F. Coulter
Deputy

JOEL A. AARONSON
NEWMAN.AARONSON.KREKORIAN.VANAMAN
14001 Ventura Blvd.
Sherman Oaks, California 91423
(818) 990-7722

Attorney for Plaintiff, MICHAEL HIRSCHENSOHN

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
111 N. Hill St.
Los Angeles, California
Central

Plaintiff:

MICHAEL HIRSCHENSOHN

Defendants:

CAROLE SINGLETON, aka CAROLE
SINGLETON DEARING, et al.

EX PARTE MOTION IN LIEU OF ORDER TO SHOW
CAUSE [xx] Visitation
Case Number CF 022753

1. TO: CAROLE SINGLETON, aka CAROLE
SINGLETON DEARING, and GERARD
DEARING
2. YOU ARE ORDERED TO APPEAR IN THIS COURT
AS FOLLOWS TO GIVE ANY LEGAL REASON WHY
THE RELIEF SOUGHT IN THE ATTACHED
APPLICATION SHOULD NOT BE GRANTED

. . .

b. Address of court:

111 N. Hill St., Los Angeles, CA 90012

. . .

3. ...

c. ☒ Other (specify):

Plaintiff Michael Hirschensohn may visit with the minor Victoria Dearing in the City of New York for a six hour period between Noon and 7:00 P.M. on either (but not both) Saturday, May 11, 1985 or Sunday, May 12, 1985.

DENIED MAY 10 1985

KENNETH A. BLACK
JUDGE PRO TEM

Judge of the Superior Court

Minutes Entered MAY 22 1985/County Clerk

- SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. LA 2

Date: MAY 22, 1985

HONORABLE STEPHEN M. LACHS JUDGE

J. CARRILLO Deputy Sheriff

V. L. SMITH Deputy Clerk

None Reporter

CF 22753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Petitioner

and

SINGLETON, CAROLE-ET AL Respondent

Counsel for Petitioner L. SHEAR &

J. AARONSON

Counsel for Respondent SCHWARTZ &

HOFFMAN

NATURE OF PROCEEDINGS.

COURT'S RULING ON DEFENDANT'S MOTION

TAKEN UNDER SUBMISSION ON MARCH 12,

1985

The court, having taken defendant motion
under submission on March 12, 1985, now
rules as follows:

While cases may be pending in our appellate
courts which may change the current law,

this Court finds the cases and statutes cited by defendant Gerald Dearing to be persuasive and accordingly his motion for Summary Judgment is granted as to plaintiff's first amended complaint and as to the Guardian Ad Litem's cross-complaint.

A COPY OF THIS ORDER IS SENT VIA U.S. MAIL

THIS DATE TO THE FOLLOWING:

JOEL AARONSON & VALEIR VANAMAN
14001 VENTURA BLVD.
SHERMAN OAKS, CA 91423

GLEN H. SCHWARTZ
16027 VENTURA BLVD. 4TH FL.
ENCINO, CA. 91436

LARRY HOFFMAN
3660 WILSHIRE BLVD. STE. 11
LOS ANGELES, CA 90010

NOTICE OF MOTION TO QUASH AND DISMISS AN
ORDER TO SHOW CAUSE FILED DEC 11 1985

GLEN H. SCHWARTZ, A LAW CORPORATION
LARRY HOFFMAN, ATTORNEY AT LAW
16130 VENTURA BLVD., SUITE 650
ENCINO, CALIFORNIA 91436
(818) 995-3266

Attorney for GERALD DEARING AND CAROLE
SINGLETON-DEARING

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
111 NO. Hill Street
Los Angeles, California 90012
CENTRAL DISTRICT

Plaintiff: MICHAEL HIRSCHENSOHN

Defendant: CAROLE SINGLETON-DEARING et al.

NOTICE OF MOTION ☒ OTHER (specify):

TO QUASH AND DISMISS AN ORDER TO SHOW

CAUSE SET FOR HEARING DECEMBER 10, 1985.

1. TO: PLAINTIFF MICHAEL HIRSCHENSOHN,
GUARDIAN AD LITEM ELLEN SHEAR, Atty

2. A hearing on this motion...will be held

...

a. 12-30-85 at 9:30 AM in dept. 2D rm.:243

b. Address of court ☒ same as noted above

3. Supporting attachments

. . .

d. ☒ Points and authorities

e. [x] Other (specify):

Declaration of GERALD DEARING and
Declaration of CAROLE SINGLETON-
DEARING.

LARRY HOFFMAN

/s/

ORDER SHORTENING TIME

4. [x] Time [x] service [x] hearing is
shortened. Service shall be on or before
12/12/85 and Filed 12/26/85 at 12:00 noon.
RESPONSIVE PAPERS TO BE SERVED. The OSC
filed by counsel for the minor child is
continued from 12/20/85 to 1/3/86. Should
said OSC not be dismissed or stayed, Defen-
dant and Claimant are ordered to produce
the child for conciliation court and con-
ference with L.E. Shear on 1/3/86.

/s/

Robert A. Schnider
Judge Pro Tem

Minutes Entered DEC 30 1985/County Clerk

No File

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. LA 2D

Date: DEC 30 1985

HONORABLE KENNETH BLACK JUDGE PRO TEM

302 L. FLORES Deputy Sheriff

V. SMITH Deputy Clerk

C. K. BELL Reporter

0930AM

CF 22753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Petitioner

and

SINGLETON DEARING, CAROLE-ET AL

Respondent

Counsel for Petitioner: J.AARONSON (X)

MINOR ATTY.: L.E.SHEAR (X)

Counsel for Respondent SCHWARTZ-HOFFMAN(X)

NATURE OF PROCEEDINGS.

MOTION OF RESPONDENT FILED DEC. 11,

1985 TO QUASH AND DISMISS AN ORDER

TO SHOW CAUSE SET FOR HEARING

DECEMBER 20, 1985

Confidential

It is stipulated that Commissioner Black
may hear this matter as a Judge Pro Tem.

Respondent's motion is continued to January 22, 1986 at 9:30 a.m. in Department 2D, for point and authorities on the issue of power of this Court granting visitation pending Appeal.

Counsel for the minor and plaintiff pleading must be filed and hand delivered by January 10, 1986. Pleading for defendant must be filed and served by January 17, 1986. All other orders are to remain in full force and effect.

The OSC set for January 3, 1986 at 8:30 a.m. in Department 2, is advanced to today and continue to January 24, 1986 at 8:30 a.m. in Department 2.

Defendant to serve notice.

Confidential

Minutes Entered JAN 22 1986/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. 2D

Date: JAN 22 1986

HONORABLE KENNETH BLACK JUDGE PRO TEM

303 J. TIPTON Deputy Sheriff

V. FERRELL Deputy Clerk

C. Richardson Reporter

0930AM

CF 22753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Petitioner

and

SINGLETON DEARING, CAROLE-ET AL

Respondent

Counsel for Petitioner J AARONSON X

LESLIE ELLEN SHEAR (Counsel for Minor) X

Counsel for Respondent SCHWARTZ-HOFFMAN X

NATURE OF PROCEEDINGS.

MOTION OF RESPONDENT FILED DEC. 11,

1985 TO QUASH AND DISMISS AN ORDER

TO SHOW CAUSE SET FOR HEARING DEC.

20, 1986 (1ST CONT.)

Confidential

Matter is called for hearing.

It is stipulated that Kenneth A. Black

may hear this matter sitting as Judge

Pro Tem.

Matter is argued and submitted.

The court takes the matter under submission.

LATER: The court having taken this matter under submission this date now

Confidential makes the following ruling:

Defendant's motion to quash and dismiss OSC is denied.

Counsel notified by U.S. mail this date as follows:

LESLIE ELLEN SHEAR
FURIO AND PLASKOW
5850 Canoga Ave., Ste. 400
Woodland Hills, CA 91367

GLEN H. SCHWARTZ
LARRY HOFFMAN
16130 Ventura Blvd., Ste. 650
Encino, CA 91436

NEWMAN-AARONSON-KREKORIAN-VANAMAN
JOEL S. AARONSON
14001 Ventura Blvd.
Sherman Oaks, CA 91423

Minutes Entered JAN 24 1986/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. 2

Date: JAN 24 1986

HONORABLE STEPHEN M. LACHS JUDGE

J. CARRILLO Deputy Sheriff

SCHWARTZ-PDL-MC Deputy Clerk

D. SALYER Reporter

CF 022 753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Petitioner

and

SINGLETON, DEARING, CAROL et al

Respondent

Counsel for Petitioner J. AARONSON (x)

LESLIE E. SHEAR, for minor (x)

Counsel for Respondent SCHWARTZ & HOFFMAN (x)

NATURE OF PROCEEDINGS...

. . .

5. The matter is continued to 3/24/86

in Dept. 2 at 8:30AM

. . .

13. [x] Counsel for MINOR is directed to

prepare the order and submit it to

the court for signature and filing

[x] after signed approval as to

form and content by counsel for

Confidential

Respondent/Petitioner.

. . .

32. [x] OTHER

Confidential

Mr. and Mrs. Dearing and Mr.

Hirschensohn are to cooperate with
the Mental Health professionals by
making themselves available, and in
making Victoria available.

Minutes Entered MAY 6, 1986/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - Dept. LA 2

Date: MAY 6, 1986

HONORABLE STEPHEN M. LACHS JUDGE

J. CARRILLO Deputy Sheriff

E. SCHWARTZ-MC Deputy Clerk

None Reporter

CF 22753 In RE the marriage of

HIRSCHENSOHN, MICHAEL Plaintiff

and

SINGLETON, DEARING CARL Defendant

Counsel for Petitioner J AARONSON

Counsel for Respondent LESLIE E. SHEAR,
FOR MINOR
SCHWARTZ & HOFFMAN

NATURE OF PROCEEDINGS:

SUBMITTED MATTER

The Court orders that a transcript of the January 24, 1986 session be prepared by the Court Reporter. Defendant is ordered to pay the cost of such transcript within ten (10) days. Upon receipt of the transcript, the Court shall take the question of which order is proper under submission.

cc: Leslie Ellen Shear
BLEDSTEIN, LAUBER & WIRE
15915 Ventura Blvd., Suite 203
Encino, CA 91436

Glen Schwartz, Esq.
16130 Ventura Blvd., Suite 650
Encino, CA 91436

Joel Aaronson, Esq.
14001 Ventura Boulevard
Sherman Oaks, CA 91423

EX PARTE APPLICATION ORDER TO SHOW CAUSE
FILED JUN 24 1986 FRANK S. ZOLIN,
County Clerk

By; /s/

Deputy

LESLIE ELLEN SHEAR, C.F.L.S.
BLEDSTEIN, LAUBER & WIRE
15915 Ventura Blvd., Suite 203
Encino, CA 91436
(213) 872-1902

Attorney For (NAME)

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
111 N. Hill St.
Los Angeles, CA 90012
Central District

MARRIAGE OF

Plaintiff: MICHAEL HIRSCHENSOHN

Defendant: CAROLE SINGLETON, ET. AL

EX PARTE APPLICATION ORDER TO SHOW CAUSE
[x] FOR MODIFICATION [x] Attorney Fees and
[x] Injunctive Order Costs

Case Number CF 022753

1. TO: CAROLE SINGLETON DEARING AND GERALD DEARING
2. You are ordered to appear in this court
as follows to give any legal reason why
the relief sought in the attached Applica-
tion should not be granted

a. date: 6-24-86 time: 1:30 PM Dept.8

Rm. 245

b. Address of court: 111 N. Hill St.
Los Angeles, CA
90012

3. . . .

. . .

c. ☐ Other (specify); YOU ARE ORDERED
TO CONTACT DR. ROBIN DRAPKIN UPON SERVICE
OF THIS ORDER TO SCHEDULE AN APPOINTMENT
FOR HER TO ASSIST THE MINOR CHILD'S ATTOR-
NEY AND GUARDIAN AD LITEM IN CONSULTING WITH
THE MINOR CHILD. YOU ARE ORDERED TO PRODUCE
THE MINOR CHILD AT THE TIME AND PLACE AGREED
TO BY DR. DRAPKIN. IF THIS ORDER IS SERVED
BY 10 a.m. ON JUNE 26, 1986 SAID APPOINTMENT
SHALL BE SCHEDULED FOR JUNE 26, 1986 BETWEEN
THE HOURS OF 8 a.m. and 3 p.m. OTHERWISE,
THE APPOINTMENT SHALL BE SCHEDULED FOR THE
EARLIEST DATE OPEN ON DR. DRAPKIN'S SCHEDULE,
AND THE SCHEDULE OF THE GUARDIAN AD LITEM.

DATED: JUNE 24 1986 /s/

Judge of the Superior
Court JOHN W. DICKEY
Judge Pro Tem

A-74

Letter from CHAMBERS OF SUPERIOR COURT,
Stephen M. Lachs, Supervising Judge to
Leslie Shear, Atty. at Law, DATED
AUG 1 1986

August 1, 1986

Leslie Shear
Attorney at Law
Bledstein, Lauber & Wine
15915 Ventura Boulevard
Encino, California 91436

Re: Hirschensohn v. Singleton, CF 22753

Dear Ms. Shear:

As you may remember, when this case appeared in Department 2 on July 16th I indicated I would call Dr. Lecker and speak with him concerning the evaluation. As I later informed you, the number you gave me was that of a hot line and I left my name and a message for him to call me on that hot line machine. I understand you did the same. Finally, on July 31st, I received a call from Dr. Lecker in which he indicated he had been hospitalized and was in no

condition to proceed with the evaluation.

I would suggest that the parties involved select another person to do this evaluation as soon as possible and I would be glad to help to the extent that I can in making sure that this is done in an expeditious manner.

Very truly yours,

/s/ -

Stephen M. Lachs
Supervising Judge

SML/sc

cc: Joel Aaronson, Esq.
Glen H. Schwartz, Esq.
Larry Hoffman, Esq.

Minutes Entered MAR 4 1987/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. LA 2

Date: MAR. 4 1987

HONORABLE FRANCES ROTHSCILD JUDGE

HONORABLE ROBERT A. SCHNIDER JUDGE PRO TEM

L. FLORES Deputy Sheriff

F. PALUMBO Deputy Clerk

Yvonne Engholm-CSS Reporter

1:30PM

CF 22753 In RE the marriage of

MICHAEL HERISHENSOHN (x) Plaintiff

and

CAROLE SINGLETON N/A Defendant

Counsel for Plaintiff: JOEL AARONSON (X)

LESLIE SHEAR (X) on behalf of the minor
child

Counsel for Defendant: GLEN SCHWARTZ (X)

representing Gerald Dearing

LARRY HOFFMAN (X)

representing the defendant

Carole Singleton

NATURE OF PROCEEDINGS [x] Petitioner

[x] Modification of

1. [] ORDER OF _____ [x] Judgment

2. [x] Matter transferred from Dept. 2

is called for hearing.

3. [x] It is stipulated that Commissioner

SCHNIDER may hear this matter as

Confidential

Judge Pro Tempore, and that he or a commissioner may hear any other proceedings subject to withdrawal of stipulation by either party.

. . .

6. ☒ The matter is continued to 3/25/87 in Dept. 2 at 8:30AM. ...

. . .

33. ☐ OTHER

Counsel for the defendant makes a motion to exclude all persons who are not Courtroom personnel from the Court.

That motion is heard and granted. Counsel for the defendant makes a further motion that all persons not deputized be excluded from the courtroom. The court declines to grant that motion.

The Court indicates for the record that there has been an extensive discussion off the record as to the procedural

issues and how this matter should proceed.

The Court rules as follows:

The Plaintiff's Order to Show Cause on calendar today is continued to March 25, 1987 at 8:30 AM in Dept. 2. Notice is waived of that continued hearing, and the Court so finds.

The Court, on its own motion, shortens time for notice of motions by any party in this matter to March 12, 1987 for hearings to be set on March 24, 1987. Responsive papers to any such motions must be served and filed on or before March 19, 1987 at 12:00 noon. The Court orders that there be no further continuances of the underlying OSC. The hearing is to proceed unless it is barred by a Court order dismissing the matter or quashing the underlying OSC.

Confidential

The Court deems the prior OSC filed by the Guardian ad Litem in November of 1985 is restored to calendar for hearing on March 25, 1987. Time is also shortened for the Guardian ad Litem to file a fee motion.

The Court finds that the child in this matter is 5 years old. There is no evidence that the child has any funds.

Confidential

The Court finds that the child is indigent and fees are waived for all purposes. The Court recommends to the Supervising Judge that an all-purpose judge be appointed in this matter. The Court will communicate its recommendation directly to the Supervising Judge.

A copy of this minute order is mailed to the parties addressed as follows:

LESLIE SHEAR, ESQ.
SHEAR & KUSHNER
15915 Ventura Blvd.
Suite 203
Encino, CA 91436

JOEL AARONSON, ESQ.
14001 Ventura Blvd.
Sherman Oaks, CA 91423

Confidential

GLEN SCHWARTZ, ESQ.
16130 Ventura Blvd.
Suite 650
Encino, CA 91436

LARRY HOFFMAN, ESQ.
545 Ave. 26 West
Los Angeles, CA 90065

Copy to Dept. 2.

Minutes Entered MAR 26 1987/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. 60

Date: MARCH 26, 1987

HONORABLE HERBERT M. KLEIN JUDGE PRO TEM

L. SALAZAR Deputy Sheriff

C. H. JOHNSON Deputy Clerk

R. MASTRO Reporter

CF 22753 In RE the marriage of

MICHAEL HIRSCHENSON (X)

and

CAROLE SINGLETON

Counsel for PLAINTIFF JOEL AARONSON(X)

G. SCHWARTZ (X) representing Gerald Dearing

Counsel for DEFENDANT L. HOFFMAN (X)

L. SHEAR (X) representing minor child

NATURE OF PROCEEDINGS

PLAINTIFFS' ORDERS TO SHOW CAUSE

Matter is resumed from March 25, 1987 with
counsel and parties present as before.

Plaintiff, Michael Hirschensohn, and Gerald
Dearing are sworn and testify.

All sides rest.

The matter is argued.

The Court takes the matter under submission

Confidential

FINDINGS AND ORDERS ON ORDERS TO SHOW CAUSE
FILED MAR 30 1987 FRANK S. ZOLIN, County
Clerk

BY C.H.JOHNSON, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

MICHAEL HIRSCHENSOHN,)	
Plaintiff,	)	CASE NO.
	)	CF 022753
vs.)	
CAROLE SINGLETON aka CAROLE	)	FINDINGS AND
DEARING, GERALD DEARING,	)	ORDERS ON
etc., et. al.,	)	ORDERS TO
Defendants.	)	SHOW CAUSE

AARONSON & AUERBACK

BY: JOEL S. AARONSON appeared as attorney
for Plaintiff

BLEDSTEIN & LAUBER

BY: LESLIE ELLEN SHEAR appeared as Guardian
ad Litem and attorney
for the child,
VICTORIA CAROLE
DEARING

GLEN H. SCHWARTZ appeared as attorney
for GERALD DEARING

LARRY M. HOFFMAN appeared as attorney
for CAROLE SINGLETON
DEARING

On March 25 and 26, 1987, before Herbert
M. Klein, Judge Pro Tempore, the Court heard

the following Orders to Show Cause:

1. A Motion by the Guardian ad Litem and attorney for VICTORIA CAROLE DEARING to restore the Pendente Lite Orders permitting Plaintiff to visit with the minor child pending appeal and requesting the appointment of an expert for further psychiatric or psychological evaluation. A request to have information provided to the Guardian as to the child's whereabouts, schooling, and well-being was provided prior to the hearing and is no longer being sought.

2. Plaintiff's Order to Show Cause filed on January 22, 1987, requesting restoration of the Pendente Lite Orders for Visitation pending appeal.

During the proceedings, the Plaintiff, Defendant GERALD DEARING and witness Dr. William Laczek were sworn and testified. The Court read and considered the FAMILY EVALUATION of Dr. Norman M. Stone, based

upon an evaluation between the periods of June 8, 1984, and September 11, 1984, with said report dated September 24, 1984.

Based upon all matters of record, statements of facts by counsel, testimony of the witnesses, and declarations and pleadings, including points and authorities, the Court makes the following Findings and Orders:

That Plaintiff initially sought a Finding and Order in this proceedings, that he is the biological father of the child, VICTORIA CAROLE DEARING, born May 11, 1981.

That Defendants are Victoria's biological mother, CAROLE DEARING and Carole's husband, GERALD DEARING.

That said Defendants have denied Plaintiff's claim of paternity, alleged that Gerald is Victoria's father, and were granted a Motion for Summary Judgment by order of January 28, 1985, based upon Evidence Code, Section 621, and the case of

Vincent B. vs. Joan R., 126 Cal.App.3d 619.

Said Judgment found that Gerald Dearing is Victoria's father.

That in conjunction with granting of the Motion for Summary Judgment, the Court terminated the Pendente Lite Orders for Visitation which had previously been awarded to Plaintiff.

That Plaintiff and the Guardian ad Litem have filed an appeal from the Summary Judgment which the parties estimate may not be resolved within the next three (3) to six (6) months.

That Counsel for Plaintiff stated that if the pending appeal is not resolved in favor of Plaintiff, he will seek further appellate review.

That Plaintiff and the Guardian ad Litem request an order, pursuant to CCP Section 917.7, to permit visitation between Plaintiff and the child pending the appeal.

That the Family Evaluation of Dr. Stone dated September 24, 1984, wa completed before legal determination of paternity, to wit: that on January 28, 1985, the Court ruled that paternity of the minor child was granted pursuant to Evidence Code, Section 621, and the case entitled Vincent B. vs. Joan R., 126 Cal.App.3d, 619; that in accordance with said Judgment, it was ordered, adjudged and decreed that Defendant Gerald Dearing is the father of Victoria Carole Dearing, born May 11, 1981.

That Dr. Stone recommended that Plaintiff be recognized as the legal parent of Victoria and contemplated a visitation schedule based upon Plaintiff's status as a legal parent.

That Dr. William Laczek testified that he last saw the child Victoria on two (2) separate occasions in December, 1984 when she was age 3; that he believes it would be in the best interests of the child that

Plaintiff be permitted to visit; that he never spoke with Mr. and Mrs. Dearing in reaching his opinion.

That the Plaintiff's physical contacts with the minor child since October 1984 consist of a Saturday and Sunday in November 1984 together with psychologist Robin Drabkin; an additional Saturday and Sunday in mid-1984; a Saturday and Sunday during the second week of January, 1985; telephone conversations with the child in February and March of 1985; and no physical or further contact after April, 1985 except for a brief contact in June, 1986 which appeared to last not more than ten (10) or fifteen (15) minutes when he spoke to the child while she was playing on the beach in Playa del Rey; in summary, the Plaintiff has had minimal contact with the child for approximately two (2) years since the child was three (3) years old.

That Plaintiff continues to allege that he is the child's father. During the hearing, he testified, "I am her father. I can give her nurturing and love in a normal father-daughter relationship." Plaintiff also testified "I think it is in the best interest of the child to know her true father. I can't answer if she has been tainted by this. She is my child and I am doing everything I can to bring this out."

That Plaintiff's request for visitation is based on his insistence that he is the biological father, despite the conclusive presumption of Evidence Code, Section 621, which establishes that Gerald Dearing is the child's father as a matter of substantive law. As stated in Vincent B. Vs. Joan R., at p. 623: "The conclusive presumption is actually a substantive rule of law based upon a determination by the Legislature as a matter of overriding social policy ...

that the integrity of the family unit should not be impugned."

That pursuant to the Judgment and the Findings of the Court, Plaintiff is not a legal parent, and is entitled to visitation with the child pursuant to the second sentence in Civil Code, Section 4601. Said Section states "reasonable visitation rights shall be awarded to a parent unless it is shown that such visitation would be detrimental to the best interests of the child. In the discretion of the Court, reasonable visitation rights may be granted to any other person having an interest in the welfare of the child."

That based upon the above findings, inter alia, the Court finds and concludes that, at the present time, it is not in the best interests of the child that the Plaintiff have visitation. The Court believes that the existence of two (2) "fathers" as

male authority figures will confuse the child and be counter-productive to her best interests.

That the two-father concept suggested by Plaintiff also violates the intention of the Legislature by impugning the integrity of the family unit, consisting of the legal parents and the child. The parents are opposed to Plaintiff's visitation with the child and visitation would interfere with the parent-child relationship between the Dearings, as parents, and the child.

That it is premature to reintroduce the Plaintiff into the child's life, until there is a final resolution of the issues regarding paternity, as determined by the Summary Judgment.

The Court is mindful of the fact that the Plaintiff is attempting to challenge the legality, if not the Constitutionality, of Evidence Code, Section 621, which

conclusively found and ordered that Gerald Dearing is the father of the child. If Plaintiff's challenge is successful, then he is entitled to reasonable visitation pursuant to the first sentence in Civil Code, Section 4601.

In conclusion, the Court finds that it is not in the best interests of the child that visitation with Plaintiff be reinstated at this time, nor does the Court find that it is necessary to have additional psychological or psychiatric expert evaluation to assist the Court.

THEREFORE, Plaintiff's and the Guardians' Motions are both denied.

The Clerk of Department 60 is directed to mail a copy of these Findings and Orders to the attorneys for all parties.

Dated: March 30, 1987

/s/

HERBERT M. KLEIN
Judge Pro Tempore

A-92

Minutes Entered 4-1-87/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. 60

Date: APRIL 1, 1987

HONORABLE HERBERT M. KLEIN JUDGE PRO TEM

NONE Deputy Sheriff

C. H. JOHNSON Deputy Clerk

NONE Reporter

CF 022753

MICHAEL HIRSCHENSOHN

v.

CAROLE SINGLETON aka CAROLE
DEARING, GERALD DEARING

Counsel for Plaintiff AARONSON & AUERBACK
BY: JOEL S. AARONSON

Counsel for Defendant LARRY M. HOFFMAN
GLEN H. SCHWARTZ

Guardian ad Litem LESLIE E. SHEAR

NATURE OF PROCEEDINGS:

FINDINGS AND ORDERS ON ORDERS TO
SHOW CAUSE

Confidential | In the matter heretofore submitted on
March 26, 1987, the Court rules in
accordance with its Findings and Orders
on Orders to Show Cause signed and filed
March 30, 1987.

A copy of the within minute order and
Findings and Orders is sent to counsel

of record via United States Mail addressed as follows:

Newman, Aaronson, Krekorian & Vanaman
Joel S. Aaronson
14001 Ventura Boulevard
Sherman Oaks, California 91423

Shear & Kushner
Leslie E. Shear
15915 Ventura Boulevard, Suite 203
Encino, California 91436

Glen H. Schwartz
Attorney at Law
16130 Ventura Boulevard
Suite 650
Encino, California 91436

Larry Hoffman
Attorney at Law
545 Avenue 26 West
Suite 201
Los Angeles, California 90065

Confidential

Minutes Entered 4-6-87/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - DEPT. 60

Date: APRIL 6, 1987

HONORABLE HERBERT M. KLEIN JUDGE PRO TEM

NONE Deputy Sheriff

C. H. JOHNSON Deputy Clerk

NONE Reporter

CF 022 753

MICHAEL HIRSCHENSOHN

vs

CAROLE SINGLETON aka

CAROLE DEARING, GERALD DEARING

Counsel for Plaintiff JOEL S. AARONSON

Counsel for Defendant LARRY M. HOFFMAN

GLEN SCHWARTZ

Guardian ad Litem LESLIE SHEAR

NATURE OF PROCEEDINGS:

OBJECTION TO SUBMITTED MATERIAL,
FAM LAW

Pursuant to letter from attorney Larry M. Hoffman, dated March 31, 1987, please be advised that the Court completed and signed its Findings and Orders prior to receipt of the material submitted by attorney Leslie Shear. Therefore, said material was not considered by the Court in reaching its decision.

Confidential

A copy of this order mailed to each -
attorney via United States Mail.

Minutes Entered SEP. 1 1987/County Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES

Date: SEP. 1 1987

HONORABLE FRANCIS ROTHSCHILD JUDGE

HONORABLE MADELINE BLIER JUDGE PRO TEM

L. W. WATTS Deputy Sheriff

E. SCHWARTS County Clerk

W. BURTON - Dept. 43

R. EVANKO Reporter

CF 22753 In RE the matter of

MICHAEL HIRSCHENSOHN (NA) PLAINTIFF

and

CAROLE SINGLETON (NA) DEFENDANT

Counsel for Plaintiff: JOEL AARONSON (NA)

Counsel for Defendant: LARRY M. HOFFMAN (NA)

Counsel for Minor: LESLIE ELLEN SHEAR (X)

NATURE OF PROCEEDINGS

[x] PETITIONER [x] CUSTODY, SUPPORT
FEES, ETC.

. . .

2. [x] Matter transferred from Dept. 2

is called for hearing.

. . .

8. ... [x] Leslie Ellen Shear is sworn

and testify(ies).

. . .

Confidential

13. [x] Counsel for the minor is directed to prepare the order and submit it to the court for signature and filing. Order is due 9-4-87, with proof of service. If no objections to the order are submitted, the Court will sign the order on 9-21-87.

The Court takes judicial notice of the minute order dated 3-4-87 and of the FINDINGS & ORDERS ON ORDERS TO SHOW CAUSE filed 3-30-87. Minor's Attorney Exhibit 1 (8 pages of fee charges for hours worked dated 3-24-87) is received in evidence. The Court indicates that the defendant and Gerald Dearing had previously been ordered to submit (illeg.) and Expense Declarations and to this date, none have been submitted nor has counsel for the minor received a copy of said declaration. Carol Singleton, aka Carole

Confidential

Confidential

Singleton Dearing and Gerald Dearing are each ordered to pay to counsel for the the minor as their (illeg.)¹ share of the minor's attorney fees and costs, the sum of \$5,000.00 each FORTHWITH. This order is effective FORTHWITH.

ORDER DENYING REVIEW SUPREME COURT
FILED JUL 30 1987 Laurence P. Gill, Clerk

O R D E R D E N Y I N G R E V I E W
AFTER JUDGMENT BY THE COURT OF APPEAL
2nd District, Division 3, No.B015384
S001251

IN THE SUPREME COURT
OF THE STATE OF CALIFORNIA
IN BANK

MICHAEL H., Appellant,

v.

GERALD D., Respondent;
VICTORIA D., Appellant.

Appellants' petition for review DENIED.

(PANELLI)

Acting Chief Justice

A-100

AFFIDAVIT OF MAILING

STATE OF CALIFORNIA)
)ss.
COUNTY OF LOS ANGELES)

Valerie Vanaman, being duly sworn, deposes and says:

I am admitted to practice before the Supreme Court of the United States of America.

I have personally reviewed the receipts for certified mail obtained by the printer, Publishing and Graphic Electronic Services, Incorporated (Pages), whereon is stamped the date of October 28, 1987, United States Postal Service, Los Angeles, California. Said receipts affixed with the date of October 28, 1987 were sent to:

Clerk, Gerald Dearing
U. S. Supreme Court 278 11th St.
One First St., N.E. Apt. "A"
Washington, D.C. 20543 New York, NY 10014
(Original + 40 copies)(3 copies)

Leslie Shear Larry Hoffman
5850 Canoga Ave. 3660 Wilshire Blvd.
Suite 400 Suite 1150
Woodland Hills, CA Los Angeles, CA 90010
91367 (3 copies)
(3 copies)

Patricia Erickson Michael Oddenino
Paul Hoffman 199 S. Los Robles Ave.
A.C.L.U. Suite 711
633 S. Shatto Place Pasadena, CA 91101
Los Angeles, CA 90005 (3 copies)
(3 copies)

National Council for Childrens Rights
2001 "O" Street, N.W.
Washington, D.C. 20036
(3 copies)

The above statements are true to my
knowledge, information and belief. Further
affiant sayeth naught.

/s/
VALERIE VANAMAN

Subscribed and sworn to before me the under-
signed notary public, this 18th day of
November, 1987, at Los Angeles, California.

/s/
NOTARY PUBLIC FOR THE STATE
OF CALIFORNIA, COUNTY OF
LOS ANGELES

(seal)

OFFICIAL SEAL
MARY FRANCES McHUGH
Notary Public-California
Los Angeles-County
My Comm. Expires Dec.15,1989

my commission expires: 12-15-89